#### Optional Customer No. Bar Code



PATENT TRADEMARK OFFICE

### COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

#### TYPE OF DECLARATION

(check one applicable item below)

This declaration is of the following type:

	[]	original. design.
NOTE:	With the declara 714.16,	e exception of a supplemental oath or declaration submitted in a reissue, a supplemental oath or tion is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.E.P. Section 7 <sup>th</sup> Ed.
	[ ]	supplemental.
NOTE:	If the de	cclaration is for an International Application being filed as a divisional, continuation or continuation-in- plication, do <u>not</u> check next item; check appropriate one of last three items.
	[X]	national stage of PCT.
NOTE:	If one of CONTI	the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, NUATION OR C-I-P.
NOTE:	aeciarai	C.F.R. Section 1.63(d) (continued prosecution application) for use of a prior nonprovisional application tion in the continuation or divisional application being filed on behalf of the same or fewer of the inventors in the prior application.
	[]	divisional. continuation.
NOTE:	or aivisi	n application discloses and claims subject matter not disclosed in the prior application, or a continuation onal application names an inventor not named in the prior application, a continuation-in-part application filed under 37 C.F.R. Section 1.53(b) (application filing requirements-nonprovisional application).
	[]	continuation-in-part (C-I-P).

#### INVENTORSHIP IDENTIFICATION

**WARNING:** 

If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

#### TITLE OF INVENTION

#### MOTOR VEHICLE COMPRISING AN AIR CONDITIONING SYSTEM

#### SPECIFICATION IDENTIFICATION

the spe	cificati	on of which:	
		(complete (a), (b), or (c))	
(a)	[]	is attached hereto.	
NOTE:	with a s	llowing combinations of information supplied in an oath or declaration filed on the application filing date specification are acceptable as minimums for identifying a specification and compliance with any one of the elow will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:	
	declara	"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or tion at the time of execution and submitted with the oath or declaration on filing;	
		"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or	
		"(3) name of inventor(s), and title which was on the specification as filed."	
		Notice of July 13, 1995 (1177 O.G. 60).	
(b)	[]	was filed on, [ ] as Application No (if applicable).	
NOTE:	Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. Section 1.67.		
NOTE:	accepta	llowing combinations of information supplied in an oath or declaration filed after the filing date are ble as minimums for identifying a specification and compliance with any one of the items below will be d as complying with the identification requirement of 37 C.F.R. Section 1.63:  (A) application number (consisting of the series code and the serial number, e.g., 08/123,456); (B) serial number and filing date; (C) attorney docket number which was on the specification as filed; (D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or (E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.  M.P.E.P. § 602, 8th ed.	

(c) [X] was described and claimed in PCT International Application No. EP2004/003790 filed on 8 APRIL 2004 and as amended under PCT Article 19 on any).				
		SUPPLEMENTAL DECLARATION (37 C.F.R. Section 1.67(b))		
	(c	omplete the following where a supplemental declaration is being submitted)		
	[]	I hereby declare that the subject matter of the		
		[ ] attached amendment [ ] amendment filed on		
was part of my/our invention and was invented before the filing date of the original application, above identified, for such invention.				
	ACK	NOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR		
specifi	I hereb cation, in	y state that I have reviewed and understand the contents of the above-identified acluding the claims, as amended by any amendment referred to above.		
37, Co		owledge the duty to disclose information, which is material to patentability as defined in deral Regulations, Section 1.56,		
		(also check the following items, if desired)		
162	and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and			
		[ ] in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. Section 1.98.		
		PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))		

NOTE: 37 C.F.R. § 1.55 Claim for foreign priority.

"(a) An applicant in a nonprovisonal application may claim the benefit of the filing date of one or more prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and 365(a) and (b).

(1)(i) In an original application filed under 35 U.S.C. 111(a), the claim for priority must be presented during the pendency of the application,, and within the later of four months from the actual filing date of the application or sixteen months from the fling date of the prior foreign application. This time period is not extendable. The claim must identify the foreign application for which priority os claimed, as well as any foreign application for the same subject matter and having a filing date before that of the application for which priority is claimed, by specifying the application number, country (or intellectual property authority), day, month, and year of its filing. The time period in this paragraph does not apply to an application for a design patent.

(ii) In an application that entered the national stage from an international application after compliance with 35 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and the Regulations under the PCT."

(2) The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) or PCT Rule 17 must, in any event, be filed before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by the processing fee set forth in § 1.17(i), but the patent will not include the priority claim unless corrected by a certificate of correction under 35 U.S.C. 255 and § 1.323.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d)	[]	no such applications have been filed.
(e)	וצו	such applications have been filed as follow

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

## PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING DAY <b>MONTH</b> YEAR	PRIORITY CLAIMED UNDER 35 USC 119
DE	103 17 184.3	15 APRIL 2003	[X]YES [ ]NO
			[]YES []NO
			[]YES []NO
			[]YES []NO
			[ ]YES [ ]NO

#### CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)

(35 U.S.C. Section 119(e))

NOTE: 35 U.S.C. 119(e)(1) requires that a nonprovisional application be filed within twelve months of the filing date of the provisional application for the nonprovisional application to claim the benefit of the filing date of the provisional application. Under 35 U.S.C. 21(b) and 119(e)(3), if this twelve-month period expires on a non-business day, it is extended to expire on the next business day.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

-/- -/-		
	CLAIM FOR BENEFIT OF EARLIER U UNDER 35 U.S.C. SEC	• • •
[]	The claim for the benefit of any such application ADDED PAGES TO COMBINED DECL. FOR DIVISIONAL, CONTINUATION O APPLICATION.	ARATION AND POWER OF ATTO
ALL	FOREIGN APPLICATION(S), <i>IF ANY</i> , FI (6 MONTHS FOR DESIGN) PRIOR TO	ILED MORE THAN 12 MONTHS THIS U.S. APPLICATION

NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. Section 120.

#### POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

JOSEPH H. HANDELMAN, 26179

JULIAN H. COHEN, 20302

JOHN RICHARDS, 31053

WILLIAM R. EVANS 25858

RICHARD J. STREIT, 25765

JANET I. CORD, 33778

PETER D. GALLOWAY, 27885

CLIFFORD J. MASS, 30086

RICHARD P. BERG, 28145

STEVEN I. WALLACH, 35402

(Check the following item, if applicable)

[X] I hereby appoint the practitioner(s) associated with the Customer Number provided above and below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Customer No. 00140

[ ] Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

NOTE: "Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4)." Section 601.03, M.P.E.P., 7th Ed

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:

(Name and telephone number)

Customer No.:

00140

PATENT TRADEMARK OFFICE

William R. Evans (212)708-1930

Ladas & Parry LLP 26 West 61<sup>st</sup> Street New York, N.Y. 10023

(complete the following if applicable)

This is the filing of [ ] continuation [ ] divisional and there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

#### **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### SIGNATURE(S)

NOTE:	Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other document.						
NOTE:	Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 C.F.R. Section 1.63(a)(3).						
NOTE:	Section 1.63(a)(3)	) requires i ions/oaths	that a declaratio	on/oath, inter alia, i	dentify each in	oath sets forth all the inventors ventor and prohibits the executi ng inventor. 62 Fed. Reg. 53,13	on
Full na	ame of sole or fi	irst inve	ntor				
<b>HANS</b>						HAMMER	
(Given	Name)	1	(Middle In	itial or Name)		Family (Or Last Name	)
Invent	or's signature()	x)(x	au JG	and the same	<del></del>		_
Date(x	) 09/23/0	5	_ Country o	of Citizenship _	GERN	MANY	_
Reside	ence	PFAF	FENHOFEN.	GERMANY			
Post O	ffice Address _	BISCI	HOF-MEISE	R-STRASSE 2.	A,		_
		85276	PFAFFENH	OFEN, GERMA	ANY		
DIRK (Given	me of second jo		. •	itial or Name)	<u> </u>	SCHROEDER Family (Or Last Name	Ī
	or's signature(x	•	سوه المراجع	·	/(h///	(n)	_
Date(x	) 09/23/20	05	_ Country o	f Citizenship	GERN	LANY	_
Reside	nce	BAAR	-EBENHAU	SEN, GERMA	NY		_
Post O	ffice Address _	RÖME	ERSTRASSE	. 4			
_		85107	BAAR-EBI	ENHAUSEN, (	GERMANY		_
Full na	me of third joir	ıt invent	or, if any				
CHRIS (Given	TIAN Name)	_	(Middle Ini	itial or Name)		REBINGER Family (Or Last Name	-
•	or's signature(x	o al	Istan		ف	Tumity (Or Lust Ivame)	,
	·	,		f Citizenship	GERM	IANY	-
	nce						-
	ffice Address _						-
		85049	INGOI ST	ADT GRAMA			-

# (check proper box(es) for any of the following added page(s) that form a part of this declaration)

[X]	Signature for fourth and subsequent joint inventors. Number of pages added1_
	* * *
[]	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added
	* * *
[]	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. Section 1.47. Number of pages added
	* * *
[]	Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 C.F.R. Section 1.47)
	* * *
[]	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.
	[ ] Number of pages added
	* * *
[]	Authorization of practitioner(s) to accept and follow instructions from representative-
	(If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item)
	[ ] This declaration ends with this page.

### ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY FOURTH AND SUBSEQUENT INVENTORS

Full name of fourth joint inventor, if any

FRANK (Given Name)	(Middle Initial or Name)	OBRIST Family (Or Last Name)
Inventor's signature(x)	Fo Olevi Va	<u> </u>
Date(x) 09/23/2005	Country of Citizenship	AUSTRIA
Residence	BREGENZ, AUSTRIA	
Post Office Address	BREGENZER STRASSE 51	
	6900 BREGENZ, AUSTRIA	
•	· · · · · · · · · · · · · · · · · · ·	
Full name of fifth joint inven	tor, if any	
FRANK (Given Name)	(Middle Initial or Name)	WOLF Family (Or Last Name)
Inventor's signature(x)	7. N	
Date(x) 09/23/2005	Country of Citizenship	AUSTRIA
Residence	HÖCHST, AUSTRIA	· · · · · · · · · · · · · · · · · · ·
Post Office Address	HOLDERBAUM 25,	·
	6973 HÖCHST, AUSTRIA	
Full name of sixth joint inver MARTIN (Given Name)		<u>GRAZ</u>
•	(Middle Initial or Name)	Family (Or Last Name)
Inventor's signature(x)	ffin 10 Cas	
Date(x) 09/23/2005	Country of Citizenship	AUSTRIA
Residence	LUSTENAU, AUSTRIA	
Post Office Address	HOLZSTRASSE 16,	
	A-6890 LUSTENAU, AUSTRI	Α

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

	plication of: HANS HAMMER, et al	
	tion No.: PCT/EP2004/003790 Group No.:	
	APRIL 8, 2004 Examiner:	
For:	MOTOR VEHICLE COMPRISING AN AIR CONDITIONING SYSTEM	
*Pater	No.: Issue Date:	
*NOTE	Insert name(s) of inventor(s) and title also for patent Where statement is with respect to a maintenance fee p also insert application number and filing date, and add Box M. Fee to address.	ayment,
S	ATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d	))
With r	spect to the invention described in	
	[ ] the specification filed herewith.	
	[X] application no. PCT/EP2004/003790, filed APRIL 8, 2004	
	[ ] patent no issued	
I.	IDENTIFICATION AND RIGHTS AS A SMALL ENTITY	
I hereb	state that I am	
	(complete either (a), (b), (c) or (d) below)	
(a)	Independent Inventor	
	[] a below named independent inventor, and that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduce under Sections 41(a) and (b) of Title 35, United States Code, to the Pater Trademark Office.	d fees
(b)	Noninventor Supporting a Claim by Another	
(0)	[ ] making this statement to support a claim by	
	[ ] making this statement to support a channel	
United 1.9(c)	all entity status for purposes of paying reduced fees under Sections 41(a) and (b) of Tit tates Code. I hereby state that I would qualify as an independent inventor as defined in 37 purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States made the above identified invention.	CFR
(c)	Small Business Concern	
<b>(-)</b>	the owner of the small business concern identified below:	
check one →	an official of the small business concern empowered to act on behalf of the co	ncern

(Statement Claiming Small Entity Status (37 CFR 1 .9(c-f) and 1 .27(b-d)-page 1 of 4) 7-10

	m OBRIST ENGI		GmbH		
Address of Cor	Address of Concern_RHEINSTRASSE 26-27,				
			STRIA		
CFR 121.3-18, 41(a) and (b) of those of its affi employees of the persons employ year, and (2) con	and reproduced in 37 ( Title 35, United States liates, does not exceed he business concern is red on a full-time, part-tincerns are affiliates of e	CFR 1.9(d), in Code, in that 500 persons the average time or temporach other who composed the content of the co	for purposes of paying the number of emplo For purposes of this over the previous fis orary basis during each ten either, directly or in	iness concern, as defined in 13 g reduced fees under Sections byees of the concern, including a statement, (1) the number of cal year of the concern of the nof the pay periods of the fiscal indirectly, one concern controls has the power to control both.	
(d) Non-Profit [X]	_	l to act on be	chalf of the nonprofit	organization identified below:	
	izationanization				
TYPE OF ORG	ANIZATION University or Other In	ctitution of 1	Higher Education		
[]	•		_	USC 501(a) and 501(c) (3))	
[]	America			State of the United States of	
	(Name of State (Citation of Statute			)	
[ ]	Would Qualify as Tax and 501(c) (3)), if Loc	-		Service Code (26 USC 501(a) ica	
[]	Would Qualify as No United States of Amer (Name of State(Citation of Statute	ica, if Locat	ed in the United State	Under Statute of State of the es of America	
and that the non 37 CFR 1.9(e), States Code.	profit organization ider for purposes of paying	ntified above reduced fee	e qualifies as a nonpro es under Sections 41(	ofit organization, as defined in a) and (b) of Title 35, United	
II. OWNE	RSHIP OF INVENT	ON BY DE	CLARANT		
I hereby above identified	y state that rights under I	contract or	law remain with and/	or have been conveyed to the	
[ ] pers (item (a) or (b)		[X] conce (item (c) a		[ ] organization (item (d) above)	

to the invention is listed below\* and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e). ſΧÌ no such person, concern, or organization [ ] person, concerns or organizations listed below\* \*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27) Full Name Address [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION [] INDIVIDUAL Full Name Address [ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) DECLARATION (check the following item, if desired) The following verification statement need not be made in accordance with the rules published on October 10, 1997,

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights

#### IV.

- NOTE: 62 Fed. Reg. 52131, effective December 1, 1997.
- NOTE: "The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 CFR 1.4(d)(2).
- I hereby declare that all statements made herein of my own knowledge are true and that all [] statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

#### **SIGNATURES** V.

(complete only (e) or (f) below)

(-)	•
(e) NOTE: All inventors must sign the state	ment.
Name of Inventor	
	Date:
Signature of Inventor	
Name of Inventor	
	Date:
Signature of Inventor	
Name of Inventor	
	Date:
Signature of Inventor	<i></i>
(add lines for a	any additional inventors who must sign)
	or
(f) NOTE: The title of the person signing on behalf	f of a concern or nonprofit organization should be specified.
Name of Person Signing (x) FRA	NK OBRIST
	of a concern or non-profit organization)
Address of Person Signing RHEINSTR	ASSE 26-27,
A-6890 LUS	TENAU, AUSTRIA
SIGNATURE (x) To Oliv	DATE(x) <u>September</u> 5, 2005
— ENGINEERIN Rheinstraße 26-27 - Telefon 00 43 - (0) Telefax 00 43 - (0)	IG GmbH — A-6890 Lustenau 55 77 - 6 23 70

Mobil 00 43 - (0) 664 - 101 96 20

(Statement Claiming Small Entity Status (37 CFR 1 .9(c-f) and 1 .27(b-d)--page 4 of 4) 7-10